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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,699	04/14/2004	Satoshi Kurihara	03500.018079	5364
5514 7590 08/17/2005 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER ROTH, LAURA K	
			ART UNIT 2852	PAPER NUMBER

DATE MAILED: 08/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/823,699

Applicant(s)

KURIHARA ET AL.

Examiner

Laura K. Roth

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, and 7 is/are rejected.
- 7) ☒ Claim(s) 3, 5, 6, 8, and 9 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/14/04 & 5/03/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Specification

The abstract and the disclosure are objected to because of the repeated use of the phrase "nonwoven-fabric" which the examiner kindly requests be changed to either "**non-woven fabric**" or "**nonwoven fabric**" [(p.3, ln.21; p.4, ln.3; p.4, ln.7; p.5, ln.5; p.5, ln.7; p.5, ln.11; p.5, ln.13; p.10, ln.20; p.11, ln.24; p.11, ln.1; p.15, ln.3; p.15, ln.12) for the sake of continuity.

The disclosure is objected to because of the following informalities: the phrase "the fibers may come so weak" should be changed to "the fibers may **become** so weak" (p.15, ln.20).

Claim Objections

Claims 1-9 are objected to because of the following informalities: "nonwoven-fabric" in claims 1-5 and 7-9 should be rewritten as "**non-woven fabric**" and "nonwoven fabric" in claim 6 should be rewritten "**non-woven fabric**". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamimura et al. (US Pat. 6,901,228) in view of Kubo (US Pat. 5,705,447).

Kamimura et al. (US Pat. 6,901,228) teach a toner seal member which is to be kept in

contact with a rotating member to seal a toner (col.10, ln.32-34) wherein said toner seal member has a non-woven fabric sheet on a support layer formed of an elastic member (col.10, ln.34+) where the non-woven fabric sheet comprises a polyester non-woven fabric (col.10, ln.66+). Kamimura et al. (US Pat. 6,901,228) also teach a process cartridge which is detachably mountable to the main body of an electrophotographic image forming apparatus (col.6, ln.3+) and which comprises an image bearing member (col.6, ln.9) and a toner seal member (as mentioned previously) kept in contact with the image bearing member to seal a toner (col.9, ln.38+). However, Kamimura et al. (US Pat. 6,901,228) fail to teach either a non-woven fabric sheet having a fiber diameter of from 2 μm to 10 μm or a non-woven fabric having a fiber diameter of 2 μm to 8 μm .

Kubo (US Pat. 5,705,447) teaches a non-woven fabric for use in a cleaning means with an average fiber diameter below 10 μm , preferably below 6 μm (col.6, ln.18+; col.6, ln.32+), and specifically of 4 μm on average (col.5, see table). It would have been obvious to one of ordinary skill in the art at the time of invention to modify the non-woven fabric seal of Kamimura et al. (US Pat. 6,901,228) with the fiber diameter range of Kubo (US Pat. 5,705,447) in order to improve the ability of the seal to remove toner particles from the image bearing member as it would aid in preventing toner from leaking (col.6, ln.35-36) this in turn would improve image quality.

Allowable Subject Matter

Claims 3, 5, 6, 8, and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

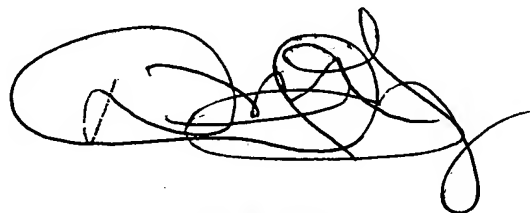
The following is a statement of reasons for the indication of allowable subject matter: Prior art does not disclose or suggest the claimed "void fraction from 0.85 to 0.90" in combination with the remaining claim elements as set forth in claims 3, 5, 6, 8, and 9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura K. Roth whose telephone number is (571)272-2154. The examiner can normally be reached on Monday-Friday, 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David M. Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LKR
8/10/2005

A handwritten signature in black ink, appearing to read 'David Gray', with a large, stylized flourish extending from the end.

David Gray
Primary Examiner